

acid in reaction. Massengill Powder assists Nature in this respect, and by helping maintain an acid reaction tends to suppress the growth of undesirable microorganisms. As a cleansing, physiologic douche. The use of a bland, warm, slightly acid douche is recommended two or three times each week as a cleansing wash for hygienic purposes * * * As a vaginal douche * * * Use night and morning * * *."

DISPOSITION: May 8, 1951. The S. E. Massengill Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Federal Security Agency.

3476. Misbranding of Biogen products. U. S. v. 9 Biogen Kits, etc. (F. D. C. No. 30342. Sample Nos. 90412-K, 90413-K.)

LIBEL FILED: December 21, 1950, Western District of Washington.

ALLEGED SHIPMENT: On or about December 1, 1950, by Nutritional Industries, Inc., from Santa Monica, Calif.

PRODUCT: 9 Biogen kits, each kit containing 1 bottle of *Formula C-A 3-90*, 1 bottle of *Formula EM-B 3-90*, 1 bottle of *Formula M-T 3-90*, and 1 bottle of *Formula V-T 3-90*, at Seattle, Wash., together with 3 1-pint bottles and 18 8-ounce bottles of *Biogen Formula No. 23* and certain accompanying written, printed, and graphic matter, namely, 25 copies of a leaflet entitled "Minerals A Very Important Factor," 75 copies of a booklet entitled "Chlorophyll the 'Green Magic,'" 12 sets of mimeographed sheets (11 pages per set) entitled "Index of Case Histories," 10 portfolios containing testimonial letters and pamphlets, 12 copies of a booklet entitled "Nutritional Industries Sales Manual," 20 portfolios entitled "Reprints from the Lee Foundation for Nutritional Research, Milwaukee, Wisconsin," 100 copies of an article entitled "Modern Miracle Men" by Rex Beach, and 10 copies of a booklet entitled "Down to Earth."

LABEL, IN PART: (Bottle and carton) "Biogen Formula No. 23 Each tablespoon (15 c.c.) contains ten milligrams Niacinamide in water base, containing highly purified water soluble Chlorophyll (Sodium Copper Chlorophyllin) 0.4% concentration and water soluble principles extracted from Alfalfa. Each cubic centimeter (c.c.) contains approximately 4.0 mg. of Sodium Copper Chlorophyllin, a water soluble salt of Chlorophyll. Directions: As a dietary source of Niacinamide, take one tablespoon (15 c.c.) in half glass of water daily. Stir well and drink. * * * Formulated By Biogen Products Co. Los Angeles, California"; (bottles in kits) "Formula C-A 3-90 Each tablet contains Calcium Lactate 8 grains (a salt of Lactic Acid), Calcium Gluconate 2 grains, Vitamin D 100 I.U. and dried water extract of alfalfa * * * There is no evidence that extract of alfalfa has therapeutic or physiologic value. Directions: As a supplementary source of calcium and vitamin D, (three tablets before morning and evening meal), six tablets will supply 60 percent of the minimum daily adult requirement of calcium and 150 percent of vitamin D. * * * Contents 540 Tablets Formulated By Biogen Products Co. Los Angeles, California"; "Formula EM-B 3-90 Contains: Vitamin B₁, alpha tocopherol acetate (Vitamin E) * * * The Daily Ration of one-fourth teaspoonful (23 average drops) provides Vitamin B₁: 10 Mg. (3334 USP Units) Vitamin E (alpha tocopherol acetate): 8 Mg. Net Contents 3% Fluid Ozs. (see side panels) * * * Formulated By Biogen Products Co. Los

Angeles, California * * * Directions: As a source of vitamins B₁ and E, one-fourth teaspoonful daily or 23 average drops taken in a tablespoon. This amount provides 10 times the daily minimum adult requirements of vitamin B₁. The need for vitamin E in human nutrition has not been established"; "Formula M-T 3-90 Two tablets provide: Two hundred percent of the daily adult minimum requirements of Iron and two hundred percent of Iodine. * * * in a base of Montmorillonite Clay * * * dried water extract of alfalfa and 3 milligrams of Chlorophyll. The Chlorophyll is derived from Sodium Copper Chlorophyllin. There is no evidence that extract of alfalfa or chlorophyll have therapeutic or physiologic value. Directions: Two tablets with evening meal. Contents 180 Tablets * * * Formulated By Biogen Products Co. Los Angeles, California"; and

"Formula V-T 3-90

Each tablet contains:

*% daily minimum
requirement*

Vitamin A	5000 U.S.P. Units	125%
Vitamin D	800 U.S.P. Units	200%
Vitamin B ₁	2664 U.S.P. Units	800%
Vitamin G (B ₂)	4 Mg.	200%
Vitamin C	1800 U.S.P. Units	300%
Vitamin K Activity	0.5 Mg.	
*Calcium Pantothenate	10 Mg.	
Niacinamide	10 Mg.	

Sugar coated with added color from Chlorophyll and certified color * * * Contents 90 Tablets * * * Formulated By Biogen Products Co. Los Angeles, California * * * Directions: Take one tablet daily with morning meal. *The need in human nutrition for vitamins marked with * has not been established."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements, representations, and suggestions in the labeling of the articles were false and misleading. The labelings when read as a whole contained statements, representations, and suggestions that almost everyone is suffering from poor health; that this is a result of a deficiency of minerals and vitamins; that this deficiency is caused by depleted soil and improper processing, storage, and cooking of foods; that most of the diseases, ailments, and conditions which afflict mankind are the result of malnutrition; that the articles would be effective in toning the system, stimulating the formation of red blood corpuscles in various forms of anemia, producing miraculous results in wound healing and stimulating granulation of tissue in burns; and that the use of the article would be an adequate treatment, preventive, and cure of such diseases, ailments, and conditions as arthritis, phlebitis, leg ulcers, varicose veins, shiritis (sic) (cirrhosis), cancer of breast, loss of weight, diabetes, headaches, nervousness, skin condition, malnutrition, paralysis, warts, obesity, sinus headaches, congestion, cysts, ulcers, chest congestion, nervous breakdown, swollen ankles, stomach trouble, poor appetite, rheumatic fever, underweight, rheumatism, eye infections, enlarged heart, anemia, bleeding gums, stomach ulcers, constipation, cancer, hay fever, asthma, run-down condition, tumor, skin cancer, female trouble, high blood pressure, stroke, lack of control of right foot, heart trouble, kidney and bladder trouble, tuberculosis, allergic skin eruption, poliomyelitis, leukemia, swollen and numb leg, colds, sinus infections, impaired vision, enlarged thyroid, hemorrhoids, defective hearing, dizzy spells, pounding heart, difficulty in breathing, stiffness in joints, fatigue, poisons, impotence, low vitality, frigidity, neuritis, alopecia, diseases of the skin, arteriosclerosis, underdevelopment in children, multiplication of bacteria in the body, pyorrhea, gum

retraction, dental conditions, chronic conditions of the rectum, inflammation of the cervix, otitis media, otitis externa, Vincent's stomatitis, dry socket, common cold, ulcerative colitis, bacterial inflammation of the lining of the heart, digestive disorders, rheumatic pains and aches, illness, many sicknesses, deep-lying infections, hemiplegia, germ diseases, and acidosis. These statements, representations, and suggestions were false and misleading because not almost everyone is suffering from poor health resulting from a deficiency of minerals and vitamins caused by depleted soil and improper processing, storage, and cooking of foods; most diseases, ailments, and conditions which afflict mankind are not the result of malnutrition; and the articles, singly or in combination, would not be effective for the purposes mentioned.

Further misbranding, Section 502 (a), certain additional statements in the labeling of the articles were false and misleading. These statements represented and suggested that the use of the articles would be effective to stimulate the glands and liver, keep the muscles elastic, increase strength of the bones, protect the inside lining of the heart, blood vessels, and urinary passages, increase the bile function, act as a body purifier and cleanser, liven the skin, give pep and energy, enable one to enjoy life at its best, aid digestion, cleanse open wounds, enable the body to reach maximum health, assist the body to reach full health in a shorter space of time, raise the red blood cell count, build a healthy blood stream, invest the average person with far greater resistance against ordinary disease, conquer malnutrition and thereby prevent 95 percent of sickness, improve the health of every living man, woman, and child on the face of the earth, provide good health, supply a supplement needed by all persons not dead who eat present-day foods, give health, supply the body with all tools needed to reach good health, increase life expectancy and allow people to live a more full and happy life, prolong life, and effect better health and more vigor. The articles, singly or in combination, were not effective for the purposes stated and implied, and they would not fulfill the promises of benefit made for them.

DISPOSITION: April 30, 1951. Default decree of condemnation and destruction.

3477. Misbranding of Thorkon. U. S. v. 1,249 Packages, etc. (F. D. C. No. 29730. Sample No. 85549-K.)

LIBEL FILED: September 19, 1950, District of Minnesota; amended libel filed on January 17, 1951.

ALLEGED SHIPMENT: On or about August 4, 11, 16, 28, and 29, 1950, from Atlanta, Ga.

PRODUCT: 1,249 50-tablet packages of *Thorkon* at Minneapolis Minn., in possession of Snyder Drug Stores, Inc., together with a number of newspaper tear sheets entitled "Amazing Tablet Charges Blood," which sheets were printed locally from mats shipped from Atlanta, Ga.

LABEL, IN PART: (Package) "Thorkon A Nutritional Supplement* Contents 50 Tablets Each Pink Tablet contains 5 micrograms Vitamin B₁₂.

Each Red Tablet contains:

Vitamin B ₁ (Thiamin Hydrochloride)-----	2.5 mgs.
Vitamin B ₆ (Pyridoxine Hydrochloride)-----	.5 mg.
Calcium Pantothenate Dextro-----	1.25 mgs.
Vitamin B ₂ (Riboflavin)-----	2.5 mgs.
Liver Fraction No. 2-----	1.0 gr.
Niacinamide-----	25.0 mgs.